

§ 218.107

49 CFR Ch. II (10–1–13 Edition)

limits and ask whether that is correct; and

(3) The employee releasing the limits shall then confirm to the train dispatcher that this information is correct.

§ 218.107 Additional operational requirements for hand-operated crossover switches.

(a) Each railroad shall adopt and comply with an operating rule which complies with the requirements of this section. When any person including, but not limited to, each railroad, railroad officer, supervisor, and employee violates any requirement of an operating rule which complies with the requirements of this section, that person shall be considered to have violated the requirements of this section.

(b) *Hand-operated crossover switches, generally.* Both hand-operated switches of a crossover shall be properly lined before rolling and on-track maintenance-of-way equipment begins a crossover movement. A crossover movement shall be completed before either hand-operated crossover switch is restored to normal position.

(c) *Correspondence of hand-operated crossover switches.* Hand-operated crossover switches shall be left in corresponding position except when:

- (1) Used to provide blue signal protection under § 218.27 of this part; or
- (2) Used for inaccessible track protection under § 214.327 of this chapter; or
- (3) Performing maintenance, testing or inspection of crossover switches in traffic control system (TCS) territory; or
- (4) One crew is using both tracks connected by the crossover during continuous switching operations.

§ 218.109 Hand-operated fixed derails.

(a)(1) Each railroad shall adopt and comply with an operating rule which complies with the requirements of this

section. When any person including, but not limited to, each railroad, railroad officer, supervisor, and employee violates any requirement of an operating rule which complies with the requirements of this section, that person shall be considered to have violated the requirements of this section.

(2) Each railroad shall specify minimum requirements necessary for an adequate job briefing.

(b) *General.* (1) The normal position of fixed derails is in the derailing position except as provided in part 218, subpart B of this chapter, or the railroad's operating rules or special instructions.

(2) Fixed derails shall be kept in the derailing position whether or not any rolling and on-track maintenance-of-way equipment is on the tracks they protect, except as provided in paragraph (b)(1) of this section or when changed to permit movement.

(3) Movement must not be made over a fixed derail in the derailing position.

(c) Employees operating or verifying the position of a fixed derail shall:

- (1) Conduct job briefings, before work is begun, each time a work plan is changed, and at completion of the work;
- (2) Be qualified on the railroad's operating rules relating to the operation of the derail;
- (3) Be individually responsible for the position of the derail in use;
- (4) Determine that the target, if so equipped, corresponds with the derail's position;
- (5) Determine that the derail is secured by:
 - (i) Placing the throw lever in the latch stand, if so equipped;
 - (ii) Placing the lock or hook in the hasp, if so equipped; and
 - (iii) Testing such latches, locks or hooks; and
- (6) Ensure that when not in use, derails are locked, hooked, or latched in the normal position if so equipped.

APPENDIX A TO PART 218—SCHEDULE OF CIVIL PENALTIES¹

Section	Violation	Willful violation
Subpart B—Blue signal protection of workmen:		
218.22 Utility employees:		
(a) Employee qualifications	\$5,000	\$7,500
(b) Concurrent service	5,000	7,500